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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Brian M. Nishitani
Senior Assistant Regional Counsel
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November 8, 2001

VIA FAX AND FIRST CLASS MAIL

Jeffrey W. Warren, Esq.
Bush, Ross, Gardner, Warren & Rudy
220 S. Franklin Street
Tampa, FL 33602

Re: Information Request Letter to Celotex Corporation
Lower Darby Creek Area Superfund Site

Dear Mr. Warren:

As we discussed this morning, EPA was discouraged by Mr. George N. Wood's November 6, 2001 response to EPA's CERCLA information request in which Mr. Wood indicated that Celotex would file an emergency motion in the Bankruptcy Court seeking sanctions against EPA for violating Bankruptcy Court orders. (Copies of EPA's September 14, 2001 information request letter and Mr. Wood's response are enclosed.) EPA does not understand why Mr. Wood believes that EPA's information request letter is "the commencement of [an] action to recover a claim for activities prior to the Effective Date [of the Confirmation Order]" and, thus, a violation of court orders.

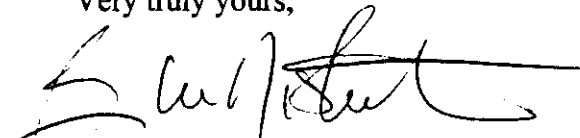
EPA is in the early stages of its investigation of and into the parties who used the landfills at the Site. With regard to Celotex, EPA's interest stems from an April 9, 1973 letter on Celotex stationery which indicates that wastes from the Philadelphia Plant were disposed of at the Folcroft Landfill. (A copy of the letter is enclosed.)

I would appreciate your reviewing the enclosed letters and then advising me of Celotex's position with regard to EPA's information request. I am hopeful that Mr. Wood will reevaluate

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his plan to file a motion with the Bankruptcy Court and that Celotex will cooperate with EPA in the search for information regarding the landfill(s).

Very truly yours,



Brian M. Nishitani
Senior Assistant Regional Counsel

Enclosures (3)

cc: Carlyn Winter Prisk (3HS11) ✓



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

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SEP 14 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Celotex Corporation
10301 9th Street, North
St. Petersburg, FL 33716

Attention: Blair Kriever, Vice President

Re: Required Submission of Information
Lower Darby Creek Area Superfund Site - Clearview Landfill, Folcroft Landfill,
and Folcroft Landfill Annex

Dear Mr. Kriever:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning the release, or threat of release, of hazardous substances, pollutants or contaminants into the environment at the Clearview Landfill ("Clearview"), Folcroft Landfill ("Folcroft"), and Folcroft Landfill Annex ("Folcroft Annex") portions of the Lower Darby Creek Area Superfund site, located in Delaware and Philadelphia Counties, Pennsylvania (hereinafter the "Site").

The Site is located in an industrialized portion of southeastern Delaware County and southwestern Philadelphia County, Pennsylvania, along an approximately two-mile stretch of Darby Creek, between Cobbs Creek to the north and the tidal marsh of John Heinz National Wildlife Refuge at Tinicum to the south (see Enclosure A). The Site also includes contaminated portions of areas along Darby Creek downstream as well as a portion of a 3500-acre tidal marsh.

EPA has reason to believe that wastes generated at locations owned or operated by Celotex Corporation and/or Barrett Roofing, may have been transported to and disposed of at the Site, specifically at Clearview, Folcroft, and Folcroft Annex. Clearview is located on the east side of Darby Creek; Folcroft and Folcroft Annex are located on the west side of the creek.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), EPA has the authority to require Celotex Corporation (hereinafter "you"), to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14),

Customer Service Hotline: 1-800-438-2474

pollutants and/or contaminants as defined by Section 101(33) of CERCLA, 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above-referenced Site.

Section 104 of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

You must respond in writing to this required submission of information **within fifteen calendar days** of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For all other entities, the response must be signed by an authorized official of that entity.

If, for any reason, you do not provide all information responsive to this letter, then in your answer to EPA you must: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.

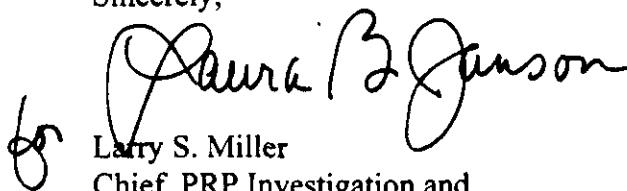
All documents and information should be sent to:

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501 et seq.

If you have any questions concerning this matter, please contact Civil Investigator Carlyn Winter Prisk at (215) 814-2625, or have your attorney contact Brian Nishitani of EPA's Office of Regional Counsel at (215) 814-2675. To discuss the Site in general or the nature of the cleanup, contact Kristine Matzko, the Remedial Project Manager, at (215) 814-5719.

Sincerely,


Larry S. Miller
Chief, PRP Investigation and
Site Information Section

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1/2/2000

Enclosures: Enclosure A: Lower Darby Creek Area Site Map
 Enclosure B: Business Confidentiality Claims/Disclosure of Your Response to
 EPA Contractors and Grantees
 Enclosure C: List of Contractors that May Review Your Response
 Enclosure D: Definitions
 Enclosure E: Instructions
 Enclosure F: Questions

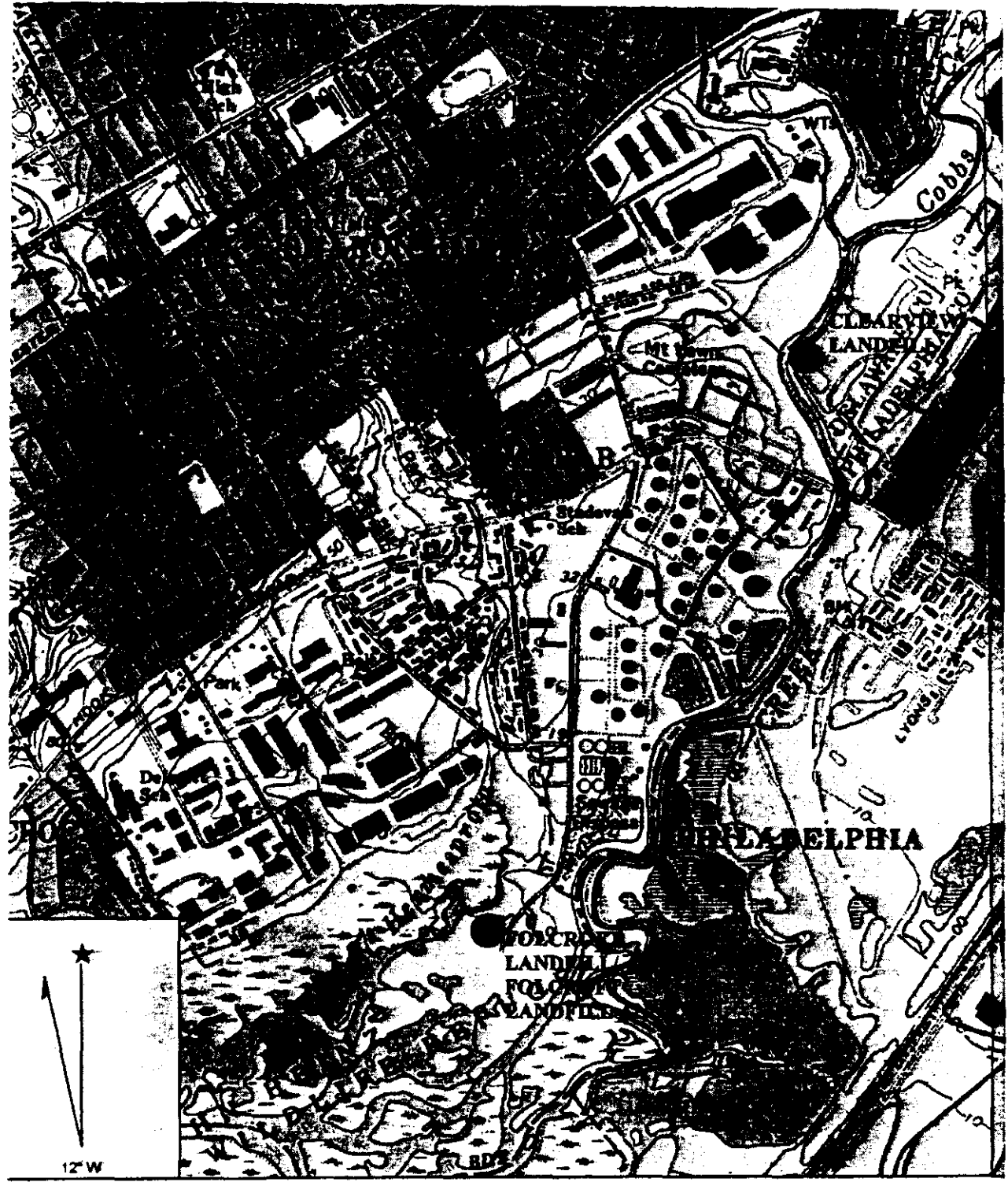
cc: Mr. Brian Nishitani (3RC44) EPA Region III, Office of Regional Counsel
 Ms. Kristine Matzko (3HS21) EPA Region III, Remedial Project Manager
 Mr. Craig Olewiler Pennsylvania Department of Environmental Protection
 Ms. April Flipse Pennsylvania Department of Environmental Protection

Enclosure A

Lower Darby Creek Area Site Map

Customer Service Hotline: 1-800-438-2474

6/21/01
140210



Name: LANSLOWNE
Date: 4/17/2001
Scale: 1 inch equals 1333 feet

Location: 039° 53' 48.1" N 075° 18' 04.4" W
Caption: Lower Darby Creek Area Site

Enclosure B

Business Confidentiality Claims

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Part 2, Subpart B. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

Disclosure of Your Response to EPA Contractors and Grantees

EPA may contract with one or more independent contracting firms (See "Enclosure C") to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreement(s) under the Senior Environmental Employee Program ("SEE Enrollees"). The SEE Program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE Enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. Section 9604(e)(7) and EPA's regulations at 40 C.F.R. Section 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure C, you must notify EPA in writing at the time you submit such documents.

Enclosure C

List of Contractors that May Review Your Response

- Daston Corporation -
Contract #68-S3-01-01
Subcontractor to Daston Corporation is:
Dynamac Corporation
- Tetra Tech EM, Inc. -
Contract #68-S3-0002
Subcontractor to Tetra Tech EM, Inc. is
Eagle Instruments, Inc.
- Ecology and Environment, Inc. -
Contract #68-S3-001
Subcontractor to Ecology and
Environment, Inc. is:
S & S Engineers, Inc.
- Resource Applications, Inc. -
Contract #68-S3-003
Subcontracts to Resource Applications,
Inc. are:
C.C. Johnson & Malhotra, Inc.
Scientific & Environment Associates,
Inc.
Environmental Quality Management,
Inc.
- IT Corporation - Contract #68-S#-00-06
Subcontracts to IT Corporation are:
Weavertown Environmental Group
Environmental Restoration Company
- Earth Tech, Inc. - Contract #68-S3-00-07
Subcontractors to Earth Tech, Inc. are:
Industrial Marine Services, Inc.
Cline Oil
Hertz Equipment Rental
- Guardian Environmental Services, Inc.
Contract #68-S3-99-04
- ECG Industries, Inc. -
Contract #68-S3-99-05
Subcontractor to ECG Industries, Inc. is:
Earth Tech, Inc.
- Industrial Marine Services, Inc. -
Contract #68-S3-99-06
Subcontractors to Industrial Marine
Services, Inc. are:
Earth Tech, Inc.
Engineering and Environment, Inc.
- Tetra Tech NUS, Inc. -
Contract #68-S6-3003
Subcontractors to Tetra Tech NUS, Inc.
are:
Gannett Flemming, Inc.
Dynamac Corporation
C.C. Johnson & Malhotra, P.C.
- CDM-Federal Programs Corporation -
Contract #68-S7-3003
Subcontractors to CDM-Federal
Programs Corporation are:
Tetra Tech EM, Inc.
Robert Kimball & Associates
PMA & Associates
Horne Engineering
Pacific Environmental Services
- Black and Veatch Waste Science and
Technology Corporation/Tetra Tech, Inc.
Contract #68-S7-3002
- Universe Technologies -
Contract #68-S3-99-02
- Tech Law, Inc.- Contract #68-W-00-108
Subcontractor to Tech Law, Inc. is:
Gannett Flemming, Inc.

List of Cooperative Agreements

- National Association of Hispanic Elderly
- #CQ-822511
- AARP Foundation (Senior
Environmental Employment)
- #824021, #823952

Enclosure D

Definitions

- The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
- The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
- The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 [of the U.S. Code], (b) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of [CERCLA], (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. Section 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. Section 6901 et seq.) has been suspended by Act of Congress), (d) any toxic pollutant listed under section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. Section 7412), and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 2606 of Title 15 [of the U.S. Code]. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
- The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release

into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).

- The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954 (42 U.S.C. Section 2011 et seq.), if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such Act (42 U.S.C. Section 2210), or, for the purposes of section 9604 of [CERCLA] or any other response action, any release of source byproduct, or special nuclear material from any processing site designated under sections 7912(a)(1) or 7942(a) of [CERCLA], and (d) the normal application of fertilizer.
- The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
- The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.

Enclosure E

Instructions

1. You are entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure B, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure D, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure D. Those terms shall have the meaning set forth in Enclosure D any time such terms are used in this Information Request and/or its Enclosures.

Enclosure F

QUESTIONS

1. State the current name of your company, its mailing address, and telephone number. Further identify:
 - a. The dates and states of incorporation of your company;
 - b. The date and original state of incorporation of your company; and
 - c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.
2. Describe in detail the corporate history of Celotex Corporation. Identify any and all mergers, incorporations, corporate name changes, or changes in ownership which resulted in the current organization of Celotex Corporation. Please provide dates of any and all such mergers, incorporations, corporate name changes and changes in ownership.
 - a. For each merger, please provide a copy of the merger document.;
 - b. For each incorporation, please provide all documents reflecting the incorporation or the change;
 - c. For each change in ownership, please provide all documents reflecting the incorporation or the change. Please provide the names and addresses of all subsequent owners; and
 - d. For each corporate name change, please provide all documents reflecting such changes.
3. Is Celotex Corporation the successor to any or all liabilities, including those under the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. §§ 9601 et seq., of Barrett Roofing?
4. If your answer to number 3 above is "no," respond fully to the following questions:
 - a. Describe in detail Celotex's current relationship with Barrett Roofing. Please submit any and all documents relating to the sale, merger or other transaction by which Celotex Corporation acquired any assets, liabilities, property, or possessions of Barrett Roofing, including, but not limited to all documents pertaining to any agreements, express or implied, for the purchasing corporation to assume the liabilities of the selling corporation; and

- b. Has Celotex Corporation come to own, control, or otherwise possess any assets, liabilities, property, or possessions that were at anytime under the control or ownership of Barrett Roofing. If your answer is in anyway affirmative supply all supporting documentation supporting and/or related to your answer.
5. Provide a copy of any and all agreements of sale, merger, and/or transfer between Celotex Corporation and Barrett Roofing as well as all attachments and amendments to any such agreement including related agreements such as exclusive service contracts, not to compete agreements or consulting agreements, and any agreement, schedule or other document that documents each asset, liability, property or possession sold as well as the consideration paid for each.
6. Identify all consideration paid by Celotex Corporation for any and all assets, liabilities, property or possessions of Barrett Roofing. In identifying the consideration, provide the amount paid in cash, the amount paid in promissory notes or other form of debenture payable to the entity and/or officers, directors and/or shareholders of the entity selling the assets, the value associated with the assumption of liabilities (if assumption of liabilities is involved, you are also to identify the types of liabilities assumed by Celotex), the value associated with the performance of services, the value associated with shares of stock exchanged as part of the sale, and the type and value associated with any other form of consideration not identified above.
7. For all promissory notes or other form of debenture identified in Question 6 above, has there been a renegotiation of the terms and conditions relating to this debt. If there has, describe the changes made and provide documentation that substantiates these changes. Furthermore, if any payment was late, reduced or is in arrears identify the amount of the payment, the original due date of the payment, and the number of days in arrears.
8. Identify if any law suit has been filed against the current owner of any and/or all assets or former assets of Barrett Roofing for activities conducted prior to the acquisition of any and/or all of these assets by Celotex Corporation or any other entity. In your response, identify the plaintiff(s), defendant(s), the type of action, the docket number of the case, the court that the case was filed in and the present status of the case.
9. Are there any indemnification agreements between Celotex Corporation and Barrett Roofing associated with the sale of assets? If yes, provide a copy of any such agreement. Also, has there been any attempt to activate these agreements? Describe the circumstances surrounding each attempt to activate the indemnification agreement, the current status of each attempt and if the attempt was resolved, describe the final resolution of each attempt.
10. Provide copies of any appraisals and all documents that support the appraisal's findings for each appraisal that was relied upon for any sale of assets or liabilities from Barrett Roofing to Celotex Corporation as well as any and all appraisals that were conducted during a four year period that begins two years prior to any sale and concludes two years after the sale.

11. List the addresses where Barrett Roofing had conducted business prior to any sale or other transaction referred to in this information request and where Celotex Corporation conducted business prior to and following any such sale or other transaction.
12. What is the current nature of the business or activity conducted by Celotex Corporation? What was the nature of your business or activity in the Philadelphia area between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.
13. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.
14. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:
- a. The dates of their operation;
 - b. The nature of their operation; and
 - c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).
15. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.
- a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;
 - b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and
 - c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.

16. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify:
- The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;
 - The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;
 - The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - The types and sizes of containers in which these substances were transported and stored; and
 - The persons or companies that supplied each such hazardous substance to your company.
17. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:
- The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;
 - The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;
 - The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and
 - The location and method of treatment and/or disposal of each such by-product or waste.

18. Did Celotex Corporation and/or Barrett Roofing ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckley Trash Hauling, Barratt Rupurt, McCloskey Engineering, Marvin Jonas, Jonas Waste Removal, Schiavo Bros., Inc., ABM Disposal Service and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976 for disposal? If so, for each transaction identified above, please identify:
- a. The person with whom you made such a contract or arrangement;
 - b. The date(s) on which or time period during which such material was removed or transported for disposal;
 - c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - d. The annual quantity (number of loads, gallons, drums) of such material;
 - e. The manner in which such material was containerized for shipment or disposal;
 - f. The location to which such material was transported for disposal;
 - g. The person(s) who selected the location to which such material was transported for disposal;
 - h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and
 - i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.
19. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:
- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;
 - b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or
 - c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.

20. For every instance in which Celotex Corporation or Barrett Roofing disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:
- a. The date(s) on which such material was disposed of or treated at the Site;
 - b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - c. The annual quantity (number of loads, gallons, drums) of such material;
 - d. The specific location on the Site where such material was disposed of or treated; and
 - e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.
21. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:
- a. The date(s) the spill(s)/release(s) occurred;
 - b. The composition (i.e., chemical analysis) of the materials which were spilled/released;
 - c. The response made by you or on your behalf with respect to the spill(s)/release(s); and
 - d. The packaging, transportation, and final disposition of the materials which were spilled/released.
22. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 19, so indicate.
23. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.

24. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.
25. Representative of Celotex Corporation:
- a. Identify the person(s) answering these questions on behalf of Celotex Corporation, including full name, mailing address, business telephone number, and relationship to the company.
 - b. Provide the name, title, current address, and telephone number of the individual representing Celotex Corporation to whom future correspondence or telephone calls should be directed.
26. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. Your document retention policy;
 - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
 - c. A description of the type of information that would have been contained in the documents; and
 - d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.



Build On Our Knowledge

Legal Department
(727) 563-5117

November 6, 2001

VIA FACSIMILE & OVERNIGHT MAIL

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Required Submission of Information
Lower Darby Creek Area Superfund Site - Clearview Landfill, Folcroft Landfill,
and Folcroft Landfill Annex (the "Site")

Dear Ms. Prisk:

This is in response to your correspondence regarding the above-referenced matter dated October 30, 2001 sent via fax to Lecil Colburn and directed to Celotex Corporation.

With respect to any demand for submission of information or any possible action concerning the Site and involving Celotex, this letter is to remind and advise the U.S. Environmental Protection Agency ("USEPA") that on October 12, 1990, Celotex filed a petition for relief under Chapter 11, Title 11, United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Middle District of Florida, Tampa Division (the "Bankruptcy Court"), Case No. 90-10016-8B1. On December 6, 1996, the Bankruptcy Court entered the Order Confirming the Plan of Reorganization for The Celotex Corporation and Carey Canada Inc. (the "Confirmation Order"), which confirmed the Modified Joint Plan of Reorganization Under Chapter 11 of the United States Bankruptcy Code for The Celotex Corporation and Carey Canada Inc. (the "Plan"). Thereafter, by order dated March 4, 1997, the United States District Court for the Middle District of Florida, Tampa Division, adopted, issued, and affirmed the Confirmation Order. The Confirmation Order has become final and nonappealable. A copy of the Confirmation Order and Notice of Entry of the Confirmation Order is enclosed. The Effective Date of the Plan (as defined therein) was May 30, 1997. The General Claims Bar Date for claims arising from activities prior to October 12, 1990 was August 25, 1992, and the Administrative Claims Bar Date for claims arising from activities subsequent to October 12, 1990 and prior to May 30, 1997 was July 15, 1997.

The Plan and the Confirmation Order contain, among other things, certain injunctions, including the Discharge Injunction, Supplemental Injunction, the Third Party Injunction and the VPSA Injunction (as such terms are defined in the Plan) (collectively, the "Injunctions"). Pursuant to Article 11.1 of the Plan and paragraph 38 of the Confirmation Order, the Injunctions became effective on the Effective Date and continue in effect at all times thereafter.



Ms. Carlyn Winter Prisk
November 6, 2001
Page 2

The Discharge Injunction and Supplemental Injunction set forth in paragraphs 23 through 28 of the Confirmation Order enjoin, among other things, the commencement of any action to recover a claim for activities prior to the Effective Date against, among others, Celotex. Thus any demand for submission of information or an action by the USEPA against Celotex regarding the Site is stayed, restrained and enjoined pursuant to the terms of the Discharge Injunction and Supplemental Injunction as an action seeking to recover a claim against, or property of, Celotex. Also enclosed is the Bankruptcy Court order issued on June 5, 1997, which additionally protects Celotex from such action.

Accordingly, any claim must be resolved by the Bankruptcy Court. Celotex reserves its right to object to any such claim that is filed as to timeliness or on any other basis. In light of the foregoing, if the demand for submission of information with respect to the Site is not withdrawn in writing and proof of such withdrawal provided to Celotex on or before November 16, 2001, Celotex will file an emergency motion in the Bankruptcy Court requesting that the USEPA show cause as to why it should not be sanctioned, held in contempt for violation of the Bankruptcy Court orders described above, and otherwise be required to respond as to damages incurred as a result of the actions. Should you have any questions regarding the Bankruptcy Court orders, please contact our bankruptcy counsel, Jeffrey W. Warren, Esq., at (813) 224-9255, Bush, Ross, Gardner, Warren & Rudy, 220 S. Franklin Street, Tampa, FL 33602.

Thank you for your cooperation in this matter.

Very truly yours,



George N. Wood
Sr. Vice President and
General Counsel

GNW/ac

Enclosures

cc: Jeffrey W. Warren, Esq. (w/enclosure)
Larry S. Miller, Chief, PRP Investigation and Site Information Section (w/o enclosures)
Brian Nishitani, (3RC44) EPA Region III, Office of Regional Counsel (w/enclosures)



Calotex

Folcroft

April 9, 1973

Department of Environmental Resources
1875 New Hope Street
Norristown, Pa., 19401

Attn: Mr. Wayne Lynn

Dear Sir:

At our Philadelphia manufacturing location we produce roofing products. Materials used in our process are all recycled - waste paper, waste wood, asphalt, etc. Due to the nature of these materials our process generates large amounts of scrap materials, none of which is recoverable. Recycled materials do not lend themselves to precision process control, thereby creating the waste situation we have at Philadelphia and, in fact, in our industry.

We have recently been advised by Mr. E. P. Mullen of Folcroft Landfill Corporation, that we can no longer dump our Plant's waste material at the Folcroft Landfill Corporation dump located on Calcon Hook Road, Folcroft, Pa., in view of the fact that the dump site has recently been temporarily closed by your office. The Calotex Corporation and the preceding company, Barrett Roofing, have been dumping waste at the Folcroft site for at least 20 years.

The closing of Folcroft has, and is, creating a very severe problem at our Philadelphia plant located at 3600 Grays Ferry Avenue. We are generating approximately 1-1/2 million pounds of waste per week. We were operating, up to the time the dump was closed, company-owned trucks with which the waste material was being transported to the Folcroft dump.

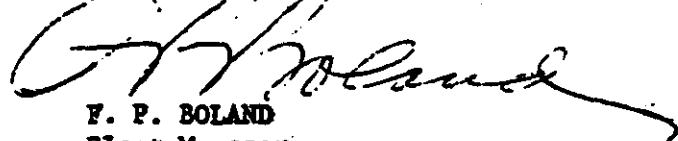
Because of the commodity type products we produce, it is extremely important that we control the quality of the products that reach the market. It is necessary that no materials that are sent to a dump site find their way back into the market and compete with our first grade materials. We have had this happen at other of our manufacturing locations where the market was severely disturbed. We have since found that it is necessary to work with a controlled dump site in order for us to maintain our position in the industry. At this time we do not have an alternate dump site that allows us to have the control required.

In view of the above outlined conditions and circumstances, we request that a special grace period be granted to Folcroft Landfill Corporation effective immediately, in which Celotex would be permitted to dump Celotex waste at the Folcroft dump until the differences which lead to the closing of the dump are resolved.

Your positive considerations and actions are, hereby, earnestly solicited.

Very truly yours,

~~THE~~ CELOTEX CORPORATION


F. P. BOLAND
Plant Manager

FPB:11